

Town Board Minutes

April 19, 2010

Meeting No. 12

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 19th day of April 2010 at 8:00 P.M. and there were

PRESENT: JOHN ABRAHAM , COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: MARK AQUINO, COUNCIL MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
JOHN DUDZIAK, TOWN ATTORNEY
GEORGE PEASE, ASSISTANT CODE ENFORCEMENT OFFICER
GARY STOLDT, CHIEF OF POLICE
DAVID MARRANO, ASSESSOR
TERRENCE McCRACKEN, GENERAL CREW CHIEF
DANIEL AMATURA, HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES
LOUIS CACCIOTTI, DEPUTY HIGHWAY SUPERINTENDENT

EXECUTIVE SESSION:

AT 8:36 P.M., UPON A MOTION DULY MADE BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing a contractual matter.

At 9:06 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:

At 8:30 P.M., the Town Board held a Public Hearing to hear all interested persons upon a proposed amendment to the Zoning Map of the Town of Lancaster as petitioned by Gold Seal Equity Partnership, 5872 Genesee Street at Gunnville Road.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

Proponent/ NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Opponent/ Comments/Questions
Andrew Marino, Tredo Engineers	Representing the petitioner
Michael Scofield	Questions

ON MOTION BY COUNCIL MEMBER STEMPIAK, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the public hearing was closed at 8:36 P.M.

Decision on this matter was reserved.

April 19, 2010

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held April 5, 2010 and the Regular Meeting of the Town Board held April 5, 2010 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 19, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Director of Administration and Finance, to wit:

Claim No. 13240 to Claim No. 13461 Inclusive

Total amount hereby authorized to be paid: \$491,696.07

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 19, 2010

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:
(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

PREVIOUSLY TABLED PERMITS:

16415	Grau Builders	11 Logan Ln	Er. Dwlg.-Sin.
16993	Grau Builders	24 Logan Ln	Er. Dwlg.-Sin.

NEW PERMITS:

17769	Stang Construction	4711 Transit Rd	Er. Comm. Alt.
17770	Leveled Construction	54 Park Blvd	Re-Roof (V/L)
17771	F&D Construction	289 Enchanted Forest N	Re-Roof
17772	Iroquois Fence Co	75 Wilkshire Pl	Er. Fence (V/L)
17773	Iroquois Fence Co	58 Creekwood Dr	Er. Fence
17774	Duro-Shed Inc	32 Country Pl	Er. Shed
17775	Look At That Industries	54 Fox Hunt Rd	Re-Roof
17776	Pro-Line Pools	27 Benson Dr	Er. Pool-Abv Gnd (V/L)
17777	Vickerd, Don	162 Harvey Dr	Er. Pool-Abv Gnd (V/L)
17778	Neth & Son Inc	12 Riemers Ave	Re-Roof
17779	Aerial Roofing	74 Elm Pl	Re-Roof (V/L)
17780	Aerial Roofing	28 Maple Ave	Re-Roof (V/L)
17781	Rogacki, Andrew	172 Court St	Re-Roof (V/L)
17782	Moore, Thomas	28 Brandel Ave	Er. Fence (V/L)
17783	TR Renovation	18 Candlestick Ct	Er. Res. Alt.
17784	Sun Enterprises	15 Ravenwood Dr	Er. Shed
17785	Kraus, Charles	30 Old Post Rd	Re-Roof
17786	Tucker Homes Inc	47 Chestnut Corner	Er. Dwlg.-Sin.
17787	All-Around Fencing	15 Nicholas Ln	Er. Fence
17788	Terwilliger, Brad	27 Rose St	Er. Shed
17789	Sahlem's Roofing	42 Village View	Re-Roof
17790	Sahlem's Roofing	3 Hemlock Ln	Re-Roof
17791	Sahlem's Roofing	93 Central Ave	Re-Roof (V/L)
17792	Rinow, Daniel	149 Hinchey Ave	Er. Fence (V/L)
17793	Rambo Roofing	509 Pleasant View Dr	Re-Roof
17794	Malone, Timothy	4867 William St	Er. Shed
17795	Concord Amish Village	16 Candlestick Ct	Er. Shed
17796	Iroquois Fence Co	33 Ashwood Ct	Er. Fence
17797	Natale Building Corp	12 Nicholas Ln	Er. Dwlg.-Sin.
17798	Natale Building Corp	66 Nicholas Ln	Er. Dwlg.-Sin.
17799	Guardian Fences	8 Parkedge Dr	Er. Fence
17800	Garrett, Dino	33 Hampton Ct	Er. Res. Add.
17801	Siejak, Traci	5260 Broadway	Re-Roof (V/L)
17802	Swimco Mfg	6267 Genesee St	Er. Pool-In Grnd
17803	American Fence Co	56 Stutzman Rd	Er. Fence
17804	Sun Enterprises	2 Chicory Ln	Er. Shed

17805	Snyder, John	34 Woodlawn Ave	Er. Shed	(V/L)
17806	Young, Barbara	133 Irwinwood Rd	Re-Roof	(V/L)
17807	Lovelace, Michael	50 Michael Anthony Ln	Er. Shed	
17808	Buscaglia Decks	5 Americo Ct	Er. Deck	
17809	Tucker Homes	1 Worthington Ln	Er. Dwlg.-Sin.	
17810	Forbes Homes	6 Sawgrass Ln	Er. Dwlg.-Sin.	
17811	Forbes Homes	33 Sawgrass Ln	Er. Dwlg.-Sin.	
17812	Blair, Ronald	26 Cotton St	Re-Roof	(V/L)
17813	Home Depot	8 Ashwood Ct	Er. Shed	
17814	Building Solutions	30 Lombardy St	Re-Roof	(V/L)
17815	Duro-Shed Inc	14 Sawgrass Ln	Er. Shed	
17816	HD Unlimited	18 Farmview Ct	Er. Pool-Abv Grnd	
17817	Randaccio Builders	13 Worthington Ln	Er. Dwlg.-Sin.	
17818	Stockmohr Roofing	2 Stony Brook Dr	Re-Roof	
17819	Marrano/Marc Equity	59 Avian Way	Er. Dwlg.-Sin.	
17820	Marrano/Marc Equity	329 Pleasant View Dr	Er. Dwlg.-Sin.	
17821	City Fence	49 Hemlock Ln	Er. Fence	
17822	Fix, Richard	59 Albert Dr	Er. Pool-Abv Grnd	(V/L)
17823	United Home Improvements	75 Oxford Ave	Re-Roof	(V/L)
17824	United Home Improvements	37 Kelly Ct	Re-Roof	(V/L)
17825	M J Peterson/Tucker Homes	51 Chestnut Corner	Er. Dwlg.-Sin.	
17826	MSR Remodeling	419 Lake Ave	Re-Roof	
17827	Premier Fence Co	26 Donna Lea Dr	Er. Fence	
17828	United Home Improvement	38 Kelly Ct	Re-Roof	(V/L)
17829	United Home Improvement	26 Kelly Ct	Re-Roof	(V/L)
17830	JLB Installations	9 Sweet Brier Ct	Er. Pool-In Grnd	
17831	JLB Installations	9 Sweet Brier Ct	Er. Fence	
17832	Pickett Fence	196 Pleasant View Dr	Er. Fence	
17833	Champion Home Imprv	471 Central Ave	Re-Roof	
17834	Carr, Wayne	311 Pleasant View Dr	Er. Deck	
17835	JLB Installations	29 Ann Marie Dr	Er. Fence	
17836	JLB Installations	29 Ann Marie Dr	Er. Pool-In Grnd	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 19, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Town Board has previously authorized the Supervisor for the Town of Lancaster to enter into a contract with G & K Sewer Construction Company, Inc., 3135 Walden Avenue, Depew, New York 14043 for the purpose of having this contractor complete revision of storm sewer bubblers on an as needed basis to assist the Highway Superintendent in addressing problems which have occurred over time with the storm sewer bubblers where they connect to the main storm sewer on Town roads, and

WHEREAS, the Highway Superintendent has advised that the \$5,000 sum which was appropriated for this work in the resolution of December 7, 2009 has now been expended and has now requested that the Town appropriate an additional sum not to exceed \$6,500, and

WHEREAS, the Town Board has given due consideration to this request and deems it in the public interest to employ this outside contractor to undertake this specialized seasonal work, and

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the appropriation of an additional sum of \$6,500 to be used for payment for work completed by G & K Sewer Construction Company, Inc., 3135 Walden Avenue, Depew, New York 14043 on the revision of storm sewer bubblers at the direction of the Deputy Highway Superintendent.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 19, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Professional Emergency Services, PLLC, 350 Cayuga Road, Suite 190, Cheektowaga, New York 14225, has submitted a site plan, dated February 2010 and received February 16, 2010 for the proposed construction of a Medfirst Urgent Care Facility located at 4827 Transit Road in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan and at its meeting on March 3, 2010 has recommended approval of this project, and

WHEREAS, a SEQR Review of this project was held April 5, 2010 and a negative declaration was issued at that time.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by **Professional Emergency Services, PLLC**,350 Cayuga Road, Suite 190, Cheektowaga, New York 14225, has submitted a site plan, dated February 2010 and received February 16, 2010 for the proposed construction of a Medfirst Urgent Care Facility located at 4827 Transit Road in the Town of Lancaster with the following conditions:

1. Landscaping plan to be approved by the Department of Parks, Recreation and Forestry’s General Crew Chief.
2. Granting of a waiver pursuant to Section 45-13 (A) (1) of the Town Code to allow an “entrance only” driveway connection for the Project Site onto Transit Road in accordance with the current site plan, with said waiver being hereby granted as a part of this Site Plan Approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 19, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, On the 15th day of March, 2010, the Town Board of the Town of Lancaster declared a 1994 Chevrolet 4 x 4 Pickup Truck (VIN# 1GCHK34R4TE110922) and a 1990 Dodge Ram Truck (VIN# 3B7KF2669XM540694) as surplus property and in anticipation of exposing them to auction, and

WHEREAS, due to a typographical error on the previously approved March 15, 2010 resolution the years for the above named vehicles were listed incorrectly as 1994 and 1990 and should have been 1995 and 1999 respectively;

NOW, THEREFORE, BE IT

RESOLVED, as follows: that the previous March 15, 2010 resolution hereby deeming the above listed vehicles as surplus property be rescinded.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 19, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, Terrence McCracken, the General Crew Chief of the Town of Lancaster, has advised the Town Board by letters dated March 5, 2010 and April 7, 2010 that the Department of Parks, Senior Facility and Buildings & Grounds are in possession of the following: **1995 Chevrolet 4 x 4 Pickup Truck (VIN# 1GCHK34R4TE110922), a 1999 Dodge Ram Truck (VIN# 3B7KF2669XM540694) and a 1985 GMC Dump Truck (VIN# 1GDG6D1A9FV627900)** which are no longer of use to the Department of Parks, Recreation and Forestry due to natural wear and tear, and therefore has requested that the Town Board deem the property to be surplus property and expose them to auction; and

WHEREAS, the Town Board has given due consideration to the request of the General Crew Chief, and deems it in the public interest to declare the before mentioned property to be surplus property as the property is no longer safe to utilize within the Department of Parks, Recreation and Forestry due to natural wear and tear and permits an auction of same with the date, time and location of said auction to be determined in the future;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby declares the before mentioned 1995 Chevrolet 4 x 4 Pickup Truck, 1999 Dodge Ram Truck and the 1985 GMC Dump Truck to be surplus property and authorizes the General Crew Chief of the Department of Parks, Recreation and Forestry to cause the auction of the before described property in an “as is” condition at an auction as deemed appropriate by Terrence McCracken, General Crew Chief, with the funds which are received at said auction to be made payable to the Town of Lancaster and delivered to the Town Supervisor’s Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 19, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Twin District Volunteer Fire Company, Inc., by letter
dated April 12, 2010, has requested the addition of a member to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the
addition to the membership of the Twin District Volunteer Fire Company the following individual:

ADDITION:

Elmer Jacob Thoman
Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 19, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

WHEREAS, the General Crew Chief of the Town of Lancaster Department of Parks, Recreation and Forestry has requested authorization to solicit bids for the purchase of one (1) new and unused Brush Blazer Model TBB-3000 Mower, for the use of the Parks Department, and

WHEREAS, after due review and consideration to the request, the Parks and Recreation Committee of the Town Board recommends that such purchase be authorized;

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That Bids be received in the Office the Town Clerk by May 13, 2010 at 10:00 o'clock A.M. Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of purchasing one (1) new and unused Brush Blazer Model TBB-3000 Mower, for the use of the Parks Department in accordance with specifications on file in the Town Clerk's Office, and
2. That the Town Clerk be and is hereby authorized to place a Notice to Bidders in the Lancaster Bee and post notices thereof as required by Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 19, 2010

**LEGAL NOTICE
TOWN OF LANCASTER
NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that sealed bids will be received by the Town Clerk of the Town of Lancaster, Erie County, New York, in the Council Chamber of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 10:00 o'clock A.M., Local Time, on the 13th day of May, 2010, for the purpose of providing to the Town of Lancaster one (1) new and unused Brush Blazer Model TBB-3000 Mower, for the use of the Parks Department, in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing Three Hundred Fifty Dollars (\$350.00), payable to the Supervisor of the Town of Lancaster, and a Non-Collusive Bidding Certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: JOHANNA M. COLEMAN
Town Clerk

April 19, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Collective Negotiations Settlement Memorandum dated March 16, 2010, between the Town of Lancaster and the Civil Service Employees Association (CSEA), Town of Lancaster Blue Collar Unit, as presented, for a successor collective negotiation agreement with a stated term of January 1, 2009 through and including December 31, 2011.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 19, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

RESOLVED, that the following pay rates for the calendar year 2009 be and hereby
is amended and approved for the CSEA Blue Collar Union employees for the year 2009,
retroactive to January 1, 2009:

TO BE PAID BI-WEEKLY

HIGHWAY DEPARTMENT:

Crew Chief Cacciotti	30.80 per hour
Working Crew Chief Kocalski/Smith	30.80 per hour
Heavy Equipment Operator Bernacki/Snyder/Ludwig	25.14 per hour
Light Equipment Operator Franger/Gallagher/Loos/Latello Nichter/Phillips/Powell/Gwarek	24.65 per hour
Laborer DeBergalis/Dundon/Falletta/Lume/ McKenzie/Paoletta/Maryanski Laborer on step (Rath hired 6/17/09) 6/17/09 to 12/16/09 at 80% of full rate 12/17/09 to full rate	23.96 per hour 19.17 per hour 23.96 per hour
Automotive Mechanic Rogacki	25.74 per hour
Maintenance Worker Gulliford/Weremblewski	24.65 per hour
Laborer-Highway Jackson	25.74 per hour
Automotive Mechanic Helper Juliano/Wiepert	25.39 per hour

and,

BE IT FURTHER

RESOLVED, that all other types of compensation, where applicable, be paid
according to the terms of the agreement between the Town of Lancaster and the CSEA, Local
Highway Unit #815.

The question of the adoption of the foregoing resolution was duly put to a vote on roll
call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 19, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVE ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

RESOLVED, that the following pay rates for the calendar year 2010 be and hereby
is amended and approved for the CSEA Blue Collar Union employees for the 2010, retroactive
to January 1, 2010:

TO BE PAID BI-WEEKLY

HIGHWAY DEPARTMENT:

Crew Chief Cacciotti	31.65 per hour
Working Crew Chief Kocialski/Smith	31.65 per hour
Heavy Equipment Operator Bernacki/Snyder/Ludwig	25.83 per hour
Light Equipment Operator Franger/Gallagher/Loos/Latello Nichter/Phillips/Powell/Gwarek	25.33 per hour
Laborer DeBergalis/Dundon/Falletta/Lume/ McKenzie/Paolella/Maryanski/Rath	24.62 per hour
Automotive Mechanic Rogacki	26.45 per hour
Maintenance Worker Gulliford/Weremblewski	25.33 per hour
Laborer-Highway Jackson	26.45 per hour
Automotive Mechanic Helper Juliano/Wiepert	26.09 per hour

and,

BE IT FURTHER

RESOLVED, that all other types of compensation, where applicable, be paid
according to the terms of the agreement between the Town of Lancaster and the CSEA, Local
Highway Unit #815.

The question of the adoption of the foregoing resolution was duly put to a vote on roll
call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 19, 2010

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Wm. Schutt & Associates, P.C., the Town of Lancaster’s consulting engineer, has requested that the Town Board authorize an invitation to bid for the Asphalt Paving, Curb, Driveway Approaches, Drainage Replacement and Sanitary Sewer Improvements along Glendale Drive and Parkdale Drive, and

WHEREAS, the Town Board has given due review and consideration to the request and deems it in the public interest to invite public bids in conformance with General Municipal Law §103 of the State of New York;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby invites public bids for Asphalt Paving, Curb, Driveway Approaches, Drainage Replacement and Sanitary Sewer Improvements along Glendale Drive and Parkdale Drive, said bids to be in conformance with the plans and specifications which are available at the office of Abate Associates Engineers & Surveyors, PC, 4455 Genesee Street, Cheektowaga New York 14225 and to be received in the Office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 11:00 A.M. Local Time on May 13, 2010, and opened thereafter.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 19, 2010

NOTICE TO BIDDERS

FOR THE

TOWN OF LANCASTER

**ASPHALT PAVING, CURB, DRIVEWAY APPROACHES, DRAINAGE
REPLACEMENT, AND SANITARY SEWER IMPROVEMENTS
ALONG GLENDALE DRIVE AND PARKDALE DRIVE**

NOTICE IS HEREBY GIVEN that sealed bids and/or proposals will be received by the Town Clerk of the Town of Lancaster , Erie County, New York at the Town Hall, 21 Central Avenue, Lancaster, New York, no later than 11:00 A.M., Local Time , on the 13th day of May, 2010 for the Asphalt Paving, Curb, Driveway Approaches, Drainage Replacement and Sanitary Sewer Improvements along Glendale Drive and Parkdale Drive, said bids to be in conformance with the specifications which are available at the office of Abate Associates Engineers & Surveyors, P.C., 4455 Genesee Street, Cheektowaga, New York 14225.

Contract Documents may be obtained at the office of the ENGINEER upon deposit of \$50.00 for each set in the form of two (2) \$25.00 checks made payable to the ENGINEER. If requested in writing, the ENGINEER will mail the Contract Documents to those wishing to obtain a set upon receipt of the \$50.00 deposit plus a non-refundable mailing charge of \$25.00 per set, made payable to the ENGINEER. The mailing date will be considered the bidder's date of receipt. Partial sets of Contract Documents will not be available.

Unsuccessful bidders who return full sets of documents in good condition within thirty (30) days of award of the contract will receive a full refund. Non-bidders will be refunded one-half of the document deposit upon return of full sets of contract documents within thirty (30) days of award of the contract.

Each bid proposal shall be submitted in a sealed envelope, clearly marked: "BID ENCLOSED FOR ASPHALT PAVING, CURB, DRIVEWAY APPROACHES, DRAINAGE REPLACEMENT, AND SANITARY SEWER IMPROVEMENTS ALONG GLENDALE DRIVE AND PARKDALE DRIVE" and must be accompanied by a bid bond or a certified check made payable to the Town of Lancaster, in the amount of five percent (5%) of the total amount of the bid.

The Town reserves the right to reject any and all bids, to consider the reputation and experience of any bidders in making its selection, to waive any informalities or minor deviations from the specifications, and to award the contract to other than the lowest bidder if considered to be in the best interest of the Town of Lancaster.

All bids shall be submitted intact on bidding form available for that purpose, and addressed to:

Johanna Coleman
Town Clerk
Town of Lancaster
21 Central Avenue
Lancaster, New York 14086

Consulting Engineers
Abate Associates Engineers & Surveyors, P.C.
4455 Genesee Street, P.O. Box 218
Buffalo, New York 14225-021
(716) 632-2300
Date: April 29, 2010

By the Order of the Town Board
of Lancaster, Erie County, New York

Johanna Coleman
Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER ABRAHAM, TO WIT:

WHEREAS, the Town of Lancaster has received several proposals from Architectural firms for the specific reason of providing Architectural and Engineering Services for the design and renovation of the proposed Public Safety Building, located at 3949 Walden Avenue, and

WHEREAS, the Town Board of the Town of Lancaster has requested that **Foit-Albert Associates**, provide the Town of Lancaster with a proposal to provide Architectural and Engineering Services for the design and renovation of the proposed Public Safety Building located at 3949 Walden Avenue, Lancaster, New York, and

WHEREAS, Foit-Albert Associates, has provided a proposal which has been duly reviewed and considered by the Town Board, and

WHEREAS, the Town Board deems it in the public interest to move forward with the engagement of **Foit-Albert Associates**, Architecture, Engineering and Surveying, P.C., to provide Architectural and Engineering Services as aforementioned;.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to negotiate and enter into an agreement with **Foit-Albert Associates**, Architecture, Engineering and Surveying, P.C., 763 Main Street, Buffalo, New York 14203, to provide Architectural and Engineering Services for the design & renovation of the proposed Public Safety Building located at 3949 Walden Avenue, Lancaster, New York, subject to the approval of the Lancaster Town Attorney.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

April 19, 2010

SUSPENDED RESOLUTION:

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolution:

UPON A MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, a suspension was granted.

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER ABRAHAM, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated April 15, 2010, has requested authorization to send two (2) employees of the Town of Lancaster Highway Department to attend the Dival Safety Summit at the Adam’s Mark Hotel, Buffalo, New York on May 11, 2010. The cost for this safety summit will be \$269 per person.

NOW, THEREFORE, BE IT

RESOLVED, that the Highway Superintendent of the Town of Lancaster is hereby authorized to send two (2) employees of the Town of Lancaster Highway Department to attend the Dival Safety Summit at the Adam’s Mark Hotel, Buffalo, New York on May 11, 2010.

BE IT FURTHER

_____ **RESOLVED**, that the cost for the above-mentioned safety summit of \$269 per person, as well as the cost of parking and related incidentals will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED YES
COUNCIL MEMBER AQUINO	WAS ABSENT
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

COMMUNICATIONS & REPORTS

139. Paradigm Liaison Services to Town Clerk -
Notice of Pipeline Safety Emergency Response program to be held Monday, May 10, 2010, 5:30 PM at the Hearthstone Manor, Depew, NY. DISPOSITION = Office of Emergency Management
140. NYS DOT to Town Attorney -
Notice of Lead Agency designation regarding Urgent Care Facility, 4827 Transit Road; comments noted. DISPOSITION = Received & Filed
141. Erie County Division of Planning to Supervisor -
Notice of Lead Agency designation regarding Tool Ranch addition, 3857 Walden Avenue; comments and recommendations noted. DISPOSITION = Received & Filed
142. Town Clerk to Town Board -
Monthly report for March 2010. DISPOSITION = Received & Filed
143. Highway Superintendent to Town Board -
Request resolution to authorize additional funds for G&K Sewer for repair of bubblers. DISPOSITION = Resolution 4/19/10
144. SBA Network Services to Town Board -
Letter regarding renewal of lease of land for communications tower on Penora Street. DISPOSITION = Town Attorney
145. Town Clerk to Town Board -
Transmittal of second settlement payment to Erie County for 2010 County/Town Tax Warrant. DISPOSITION = Received & Filed
146. Tree Services of Western NY to Town Clerk -
Request opportunity to provide services for tree and pruning work. DISPOSITION = Parks, Recreation & Forestry
147. Depew-Lancaster Boys & Girls Club to Town Board -
Request permission to hold Annual 10K Race on Sunday, July 4, 2010 at 9:00 AM. DISPOSITION = Received & Filed
148. Unison Site Management to Town Board -
Letter regarding renewal of lease of land for communications towers on Penora Street and Hayes Avenue. DISPOSITION = Town Attorney
149. General Crew Chief to Supervisor -
Notice of correction of two vehicles deemed as surplus property and request to deem another vehicle as surplus to be auctioned. DISPOSITION = Resolution 4/19/10
150. Lancaster-Depew Baseball League to Town Board -
Invitation to Annual Opening Day Ceremony at Westwood Park on Saturday, May 1, 2010 at 9:00 AM. DISPOSITION = Received & Filed
151. Wm. Schutt & Associates, P.C. to Town Board -
Recommend acceptance of Public Improvement Permit No. 663 installed in Cross Creek Subdivision, Phase 1; namely street lighting. DISPOSITION = For Resolution
152. Town Attorney to Town Board, Planning Board, Building Inspector, Town Engineer, Town Clerk -
Notice of SEQR meeting to be held Monday, April 19, 2010, 6:30 PM regarding rezone petition of Gold Seal Equity Partnership, 5872 Genesee Street and site plan of Tool Ranch, 3857 Walden Avenue. DISPOSITION = Received & Filed
153. Town Clerk to Various News Media -
Notice of SEQR meeting to be held Monday, April 19, 2010, 6:30 PM regarding rezone petition of Gold Seal Equity Partnership, 5872 Genesee Street and site plan of Tool Ranch, 3857 Walden Avenue. DISPOSITION = Received & Filed
154. Village of Lancaster to Town Board -
Minutes of meeting held March 22, 2010. DISPOSITION = Received & Filed

155. General Crew Chief to Supervisor -
Request resolution to advertise for bids for Brush Blazer Mower. DISPOSITION = Resolution 4/19/10
156. Lancaster Central School District to Supervisor -
Notice of renovation and reconstruction work to be done at Lancaster Middle School and Court Street Elementary School. DISPOSITION = Received & Filed
157. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Town Attorney, Highway Superintendent, Building Inspector -
Draft copy of minutes of meeting held April 7, 2010. DISPOSITION = Received & Filed
158. Planning Board to Town Board -
Recommend approval of preliminary plat plan for Summerfield Farms Subdivision, Phase 5, south of Avian Way; condition noted. DISPOSITION = Planning Committee
159. Twin District Volunteer Fire Company to Town Clerk -
Request for change in roster. DISPOSITION = Resolution 4/19/10
160. NYS State Board of Real Property Services to Assessor -
Notice of established special equalization rates for 2010 assessment roll.
DISPOSITION = Received & Filed
161. Erie County Department of Public Works to Supervisor -
Notice of closure of Schwartz Road between Erie Street to Westwood Road from Monday, April 19 through Friday, April 23, 2010 for repair of railroad crossing.
DISPOSITION = Received & Filed
162. Hopkins & Sorgi, Attorneys to Supervisor -
Letter regarding site plan of proposed Urgent Care Facility, 4827 Transit Road.
DISPOSITION = Received & Filed
163. NYS DOT to Town Attorney -
Notice of lead agency designation regarding rezone petition of Gold Seal Equity Partnership, 5872 Genesee Street and Gunnville Road; comments noted.
DISPOSITION = Received & Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the meeting was adjourned at 9:06 P.M. in memory of Charles J. Nichter, Bernice H. Ott and Jason D. Graczyk, Staff Sergeant United States Air Force.

Signed _____
Johanna M. Coleman, Town Clerk

